

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KIMBERLEE J. WILSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

Case No. 11-5666 BHS-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand. (ECF #24). After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion, and remand this matter to the Commissioner for further proceedings.

This Court recommends that on remand, the Appeals Council will remand this case to an Administrative Law Judge for further proceedings, including a *de novo* hearing and a new decision. The Appeals Council will instruct the ALJ to offer the claimant an opportunity for another hearing. Further consider and properly address acceptable and other medical source opinions; the claimant's credibility, whether her impairments meet or equal Listing 1.02; her residual functional capacity, and her ability to perform past relevant work and/or other jobs that exist in significant numbers in the national economy.

REPORT AND RECOMMENDATION - 1

1 Reasonable attorney fees shall be awarded, upon proper application, pursuant to the  
2 Equal Access to Justice Act, 28 U.S.C. § 2412.

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4 Given the fact of the parties' stipulation, the Court recommends that the District Judge  
5 immediately approve this Report and Recommendation and order the case **REVERSED** and  
6 **REMANDED**. A proposed order accompanies this Report and Recommendation.

7 DATED this 16<sup>th</sup> day of July, 2012.

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10 Karen L. Strombom  
11 United States Magistrate Judge  
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